



PRELIMINARY DRAFT
No. 3128

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2011 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 5-22-23-0.5; IC 11-8-2-15; IC 11-10-11.5-1;
IC 11-13-3-0.1.

Synopsis: Noncode statutes. Codifies certain noncode provisions relating to corrections. Repeals the corresponding noncode provisions. Repeals without codification a 2003 noncode statute requiring the department of correction to report quarterly to the budget committee certain information relating to county sentencing patterns for the state fiscal year ending June 30, 2004.

Effective: July 1, 2011.



A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-23-0.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: **Sec. 0.5. This chapter does not apply to solicitations for**
4 **telephone calling systems (including local, interlata, intralata, and**
5 **interstate long distance services) for confined offenders made**
6 **before March 20, 2002.**

7 SECTION 2. IC 11-8-2-15 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2011]: **Sec. 15. (a) Upon completion of a new correctional facility,**
10 **the department shall conduct a review of the capacity of all**
11 **previously existing facilities to determine the feasibility of closing**
12 **the facilities. In conducting a review under this section, the**
13 **department shall consider whether the closing of an existing**
14 **facility would be consistent with the public safety and sound**
15 **correctional policy.**

16 **(b) The executive department shall study the feasibility and**
17 **economic impact of converting one (1) or more state mental health**
18 **facilities into correctional facilities. The study shall be transmitted**
19 **to the speaker of the house of representatives and the president pro**
20 **tempore of the senate before issuance of bonds to finance the**
21 **construction of a new women's prison.**

22 **(c) This section codifies P.L.240-1991, SECTION 118. This**
23 **section does not impose duties on the department of correction or**
24 **the executive department other than the duties imposed by**
25 **P.L.240-1991, SECTION 118.**

26 SECTION 3. IC 11-10-11.5-1 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 1. (a) This chapter**
28 **applies to a person:**

- 29 (1) who is committed to the department under IC 35-50 for one
30 (1) or more felonies; and
31 (2) against whom a court imposed a sentence of at least two (2)



1 years.

2 **(b) This chapter applies only to a person whose community**
3 **transition program commencement date occurs after August 31,**
4 **1999.**

5 SECTION 4. IC 11-13-3-0.1 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2011]: **Sec. 0.1. The amendments made to section 3 of this**
8 **chapter by P.L.172-2001 apply to all parole determinations made**
9 **after June 30, 2001, including a determination after June 30, 2001,**
10 **to reconsider the release of an offender on parole whose parole was**
11 **revoked before July 1, 2001.**

12 SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE
13 JULY 1, 2011]: P.L.240-1991, SECTION 118; P.L.273-1999,
14 SECTION 216; P.L.90-2000, SECTION 24; P.L.172-2001, SECTION
15 2; P.L.65-2002, SECTION 2; P.L.224-2003, SECTION 127.

